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March 13, 2001

Attorney Docket No.: 07252-008002

Box Patent Application
Commissioner for Patents
Washington, DC 20231

Presented for filing is a new divisional patent application of:

Applicant: Judith W. Zyskind and R. Allyn Forsyth

Title: **METHOD FOR IDENTIFYING MICROBIAL PROLIFERATION
GENES**

The prior application is assigned of record to San Diego State University Foundation, a California corporation, by virtue of an assignment submitted to the Patent and Trademark Office and recorded on March 27, 1998 at 9093/0408.

Enclosed are the following papers, including those required to receive a filing date under 37 CFR §1.53(b):

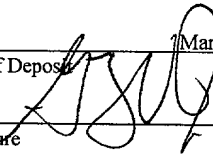
| | <u>Pages</u> |
|---------------|-------------------------------|
| Specification | 34 |
| Claims | 12 |
| Abstract | 1 |
| Declaration | [To be Filed at a Later Date] |
| Drawing(s) | 10 |

CERTIFICATE OF MAILING BY EXPRESS MAIL

Express Mail Label No. EL688321692US

I hereby certify under 37 CFR §1.10 that this correspondence is being deposited with the United States Postal Service as Express Mail Post Office to Addressee with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, Washington, D.C. 20231.

Date of Deposit March 13, 2001

Signature 

Gildardo Vargas, Jr.
Typed or Printed Name of Person Signing Certificate

03/13/01
1031 U.S. PTO

Richard P. Fish
1855-1930

W.K. Richardson
1859-1951



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JC918 U.S. PTO
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Enclosures:

- Information Disclosure Statement, including Form PTO-1449, 9 pages, listing documents cited in the parent application(s). Please confirm that these have been considered in this application by returning a copy of the Form PTO-1449 with the examiner's initials.
- Postcard.

This application is a divisional (and claims the benefit of priority under 35 USC 120) of U.S. application serial no. 08/971,090, filed November 14, 1997. The disclosure of the prior application is considered part of (and is incorporated by reference in) the disclosure of this application.

This application is entitled to small entity status pursuant to 37 CFR 1.9(f).

| | |
|--|-------|
| Basic filing fee | \$355 |
| Total claims in excess of 20 times \$9 | \$612 |
| Independent claims in excess of 3 times \$40 | \$0 |
| Fee for multiple dependent claims | \$0 |
| Total filing fee: | \$967 |

A check for the filing fee is enclosed. Please apply any other required fees or any credits to deposit account 06-1050, referencing the attorney docket number shown above.

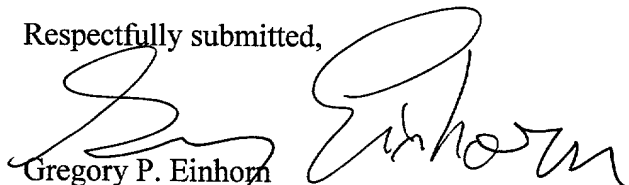
If this application is found to be incomplete, or if a telephone conference would otherwise be helpful, please call the undersigned at (858) 678-5070.

Kindly acknowledge receipt of this application by returning the enclosed postcard.

Please send all correspondence to:

GREGORY P. EINHORN
Fish & Richardson P.C.
4350 La Jolla Village Drive, Suite 500
San Diego, CA 92122

Respectfully submitted,



Gregory P. Einhorn

Reg. No. 38,440

Enclosures

GPE/mzc

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